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INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE

VIOLENCE AGAINST WOMEN

Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1997/44

Addendum

Economic and social policy and its impact on violence against women

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INTRODUCTION

1. The term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life [1]

2. Violence against women is not always an individual act. Macro-policies of States and Governments may also result in human rights violations and violence. Examples of such violence are preventable malnutrition, preventable diseases or complications during pregnancy and childbirth resulting in death. Violence against women generally derives from the perceived inferiority of women and the unequal status granted by laws and societal norms. Economic and social policies can exacerbate the disparities between men and women and worsen women's situation. Economic/social policy may be defined as any legislation affecting the economic or social sphere of life, as well as executive plans for action by governments, intergovernmental organizations, such as the International Monetary Fund (IMF) and the World Bank, or non-governmental organizations.

3. Even policies which are regarded as gender neutral may have the effect of exposing women to violence. For example, development and economic growth are pursued with the intention of improving all people's lives, but it is often overlooked how policies to achieve them can present an undue burden for women. Encouraging foreign direct investment (FDI) in the area of labour-intensive manufacturing by deregulating the labour market removes protection for workers, thereby exposing them to health risks. As women often are 80 per cent of such workers, the argument that such a policy is gender neutral is frequently untenable.

4. In order to be able to eliminate any effects economic and social policies have in encouraging violence against women, this report will look at the relationship of some of these policies to violence against women. The span of these policies reaches from international economic strategies for globalization to national laws regulating inheritance rights. Development strategies propagated by intergovernmental organizations (IGOs) and non-governmental organizations (NGOs) often result in undermining the status of women, exploiting their labour and exposing them to health threats, and physical and sexual abuse. For example, structural adjustment programmes designed by the IMF or the World Bank, call for cuts in government spending and for privatization of State owned enterprises and services. This may result in an increase in women's death rates by reducing their access to medical care, while failure to provide welfare and shelter facilities for women may prevent women from leaving violent situations and seeking help. In addition, economic and social policies which are side effects of promoting development, such as relocation for building infrastructure (e.g. dams), policies regarding reproduction and family planning, and housing policies frequently constitute or promote violence against women.

I. THE GENERAL SOCIAL AND ECONOMIC SITUATION OF WOMEN

A. Social and cultural status

5. The refusal of Governments to reform laws affecting the social and cultural status of women often results in violence against women. In many societies, women are defined solely by their reproductive function. Women have no rights over their bodies or choice in their sexual activity. Chastity is emphasized as a virtue above all others. Virginity at the time of marriage is a must and often women have to undergo degrading tests in which their virginity is established. The obsession with a woman's virginity goes as far as constituting the basis of male honour. An Egyptian saying states that "The loss of a woman's virginity is a shame which can only be wiped out in blood".[2] The sexual behaviour of a woman is the responsibility of her brothers and father, until they can hand over responsibility to her husband. In Lebanon, suppressive laws are in place which serve this purpose. These laws vary between tribes and therefore they can be said to ensure that women are kept for the men of their own tribe.[3] In many countries forced marriages and child marriages are undertaken to ensure the protection of the girl's virginity. Female genital mutilation should be understood in a similar context (as the Special Rapporteur has pointed out in her report on reproductive rights).

6. Women who leave the protection of male family members make themselves vulnerable to violence, such as rape. Rape is then often seen as a crime against a woman's honour and not as a crime against the person. In some countries, such as Turkey or the Dominican Republic, the perpetrator can thus be excused of his offence if he offers to marry the victim.[4] The violation of a woman's bodily integrity and her mental and physical health are seen as being of little relevance.

7. In many countries, women are regarded as property. Once married, a woman ceases to be the property of her family and becomes the property of her husband and his family.[5] Many societies fail to educate women about their sexual rights and women feel it is their duty to accommodate the sexual desires of their husbands. They suffer silently as they are not aware of their right to refuse sex.[6] Sex is a marital duty for both partners, however, legally only the women has no right to refuse sex. It is also not appropriate for her to initiate and enjoy sex.[7] Unless women come to be seen as individual beings with a right to determine their sexuality, their inferior social position will continue to permit violence against them.

B. Economic status and dependence

8. Economic and social policies that continue to ensure women's economic dependence on men often result in violence against women. Of the world's 1.3 billion poor, 70 per cent are women. A major factor underlying violence against women is their low economic and social status relative to men and their dependence on men to provide protection and the means of survival. If women have independent means they can often walk away from situations of abuse.

9. Women's multiple roles as producers, home managers, mothers and community organizers are ignored. The importance of reproductive activity is undervalued. By raising and caring for children, by preparing food and organizing the household, women ensure the sustenance of society and of the workforce necessary to carry out productive activities.

10. Even when women are involved in productive activity, this is overlooked. Despite the fact that more than half of Asia's working women and about three quarters of the female working population in sub-Saharan Africa are involved in the agricultural sector, despite the fact that women produce 70 per cent of Africa's food, most of women's work remains invisible. This is because women's work is frequently not evaluated through the market. As food production is mainly for home consumption, and household work, childcare and cooking are not sold on the market, there is no measurement of women's contribution to the economy. Attempts to place a monetary value on this "invisible" work have resulted in figures indicating that annually US$ 11 trillion worth of women's contribution is overlooked.

11. In developed countries, women do 51 per cent of all work, in developing countries as much as 53 per cent. Women do two thirds of all unpaid work, while men do two thirds of all paid work. In industrialized countries, women who are employed and have a child aged under 15 have the longest working day, amounting to 11 hours. When a woman takes up employment, the unpaid work she previously was responsible for still remains and she will have to work on average one hour additionally per day.[8]

12. Their low economic status has serious consequences for the social and legal status of women. In regions with high rates of female participation in the workforce, women's status is raised, which has direct consequences on their ability to lead a life without fear of violence. In addition, women's low economic status allows for practices in the family that result in violence against women. Female infanticide, widow murder, neglect of girl children and dowry-deaths are related to the economic potential of women. Where women generally do not contribute to the monetary income of the household, they are regarded solely as a financial burden. The capacity to earn income makes a woman a valuable asset.[9] When a woman is able to provide for herself, she will have respect within the family and she will also be more likely to leave a violent relationship, as she has the means to support herself.

C. Women's legal status

13. Low economic and social status has serious consequences for the legal position of women. Laws in many countries ensure that women remain in an economic dependent situation. Society and Government view men as the representatives and heads of household. Such an assumption places the ever-increasing number of female-headed households at a disadvantage. In countries such as Nigeria, women have the legal status of a minor. Women who choose to live alone, who are widowed, divorced or lesbians, and women with children outside marriage are at a severe disadvantage, as they do not share the same rights as men. When married, women become the property of their husband, only through him or through their father or sons do women have access to land. By themselves, they are not able to sign legal contracts or file for divorce. Without a man, women-headed households are severely limited in their access to means to support themselves.

14. Unequal ownership rights leave women dependent on men. In Cameroon there is no legal provision for women to own property. Following traditional laws, a woman does not inherit land since she will marry and then be provided for by her husband outside her community. When her husband dies, again she will not inherit as the land returns to the husband's family. In many African countries formal law has no provision for women's inheritance rights, in others customary law is an obstacle to women making use of legal provisions. Widows are often left without the means to support themselves financially or to obtain necessary medical care, and may be made to leave their marital home. Where women are made recipients of property or funds, they may incur the anger of other family members. They suffer from (threats of) violence or even death. Uganda and Nigeria can both offer examples of abused widows.[10]

15. In Nigeria, 90 per cent of land and property are in the name of men. Accommodation grants from the employer can only be received by men as women are expected to move in with the husband. Single mothers fall through this safety net. In Nigeria, landlords are reluctant to give accommodation to single women or mothers, who have the reputation of being promiscuous.[11] Should they become homeless, women are at a great risk of becoming victims of violence such as rape.

16. When women do not hold any land, they are frequently unable to obtain credit, even when they are legally able to do so, as land is required as collateral. This is the case in Nigeria, where women are effectively barred from obtaining credit, as they do not possess land, a house or other property. In South Africa, in order to obtain credit from public banks often requires the husband's signature and surety.

17. Not being a full member of society in legal terms prevents female heads of household from being able to support their family. Housing in the formal sector may not be available or affordable and the family may be exposed to the vagaries of the informal housing sector. But married women also are affected by this situation, as they are dependent on their husbands in legal and economic terms. Where the husband does not allocate the resources equally, women are at a severe disadvantage and powerless. In cases of domestic violence, the inability to live life independently without a husband or father may force women to stay with their batterers.

18. Social, economic and legal dependence is an extremely important factor to be taken into account when trying to place violence in its social and economical context. Violence is often a means by which the dominant person asserts power. In equal relationships no one partner is dependent on the other one, as both have sufficient power - in economic, as well as in social and legal, terms - to leave the relationship and live independently.

D. Consequences

19. The undervaluing of women by the legal and economic structures of society has important consequences. Premature death is the most fatal consequence of the undervaluing of women. A troubling statistic indicates that millions of women are missing in less developed countries owing to female foeticide, female infanticide, purposeful malnourishment and starvation, neglected health problems and murders, some of which related to dowry - so-called dowry deaths. In Pakistan, every day one woman dies from "stove death". While in Europe and

North America for every 100 men there are 106 women, there are only 97 women in less developed countries. In Africa there are 102 women. On the basis of this ratio, it can reasonably be said that there are 30 million women missing in India and 38 million women missing in China alone.[12] Another study shows that the countries with the highest proportion of missing women are Bangladesh and Pakistan, where the number of missing women amounts to 10 per cent of the total number of women.[13]

20. In many countries, a family requires a son to continue the family name and inherit the family land. In Chinese tradition, a son is also essential because only a male child can appease the spirits of the ancestors by sacrificing money and incense. Without a son, the parent's spirits will have to wander the earth, never finding rest. As China strictly enforces its one-child policy, parents prefer their only child to be a son. In India a son is required to light the father's cremation fire.

21. Raising a daughter is considered an investment the family will not profit from. Once married, she will become a member of another family and cheap labour. Additionally, on a daughter's marriage the future husband and his family need to be given a dowry by her parents. This can be very expensive, and, especially where there are several daughters, can cause families to become heavily indebted. Although originally intended to ensure the bride's financial independence, the system has been corrupted and the dowry now only serves as a source of enrichment for the husband. If the woman's family fails to pay the full dowry or does not meet demands for further payments, dowry deaths are a frequent consequence. Husbands and mothers-in-law burn the woman alive in a "cooking accident" or murder her otherwise. The husband is permitted to remarry and receive a second dowry. It is in fact the case that in regions where the dowry system is common there is often a highly increased mortality rate for women. This contrasts with regions where a bride price is customary, such as in southern and western regions of Africa. Here families have a financial incentive to ensure their daughters' survival and there is no excessive female mortality.[14] This does not, however, hinder the husband mistreating his wife. As he had to pay a bride price, he regards his wife as a commodity he has paid for and therefore she has to be at his service, which includes sexual activity when and as he requests.

22. Since the introduction of the capacity to detect the sex of a child before birth through ultrasound techniques, many abortions are being carried out because the child is of the "wrong sex". In Bombay, India, 96 per cent of aborted foetuses are female.[15] Improvements in technology have been a mixed blessing in this respect. The population imbalance that will result in the next century from technological innovation and the undervaluing of women is a serious consequence that requires State intervention.

23. In societies with greater gender equality, infant boys have a 20 to 30 per cent higher mortality rate than girls. In Bangladesh, female infant mortality is nearly twice that of male infants. In China, it is more than double that of boys, and is concentrated in the first year of life. In India, as well, female mortality is highest among infants, but remains higher than male mortality up to the age of 35. In all three countries, the mortality rate increases for girls from large families. In India and Bangladesh, first-born girls have better chances of survival (although lower than boys), than in China, where even first-born girls have drastically reduced survival chances. For later-born girls survival chances decrease rapidly in all three countries.[16]

24. All this illustrates clearly the extent to which women's lives are disregarded. They are valued so little that death and murder are not seen as reprehensible. The reason for this can partly be found in the status of women, which is inferior to men's in social, cultural, economic and legal terms in most societies.

25. Gender equality is obviously not merely a question of financial wealth, but rather of political commitment. Increasing female literacy can easily be achieved when Governments demonstrate the will. In 1992 China, Sri Lanka and Zimbabwe had female literacy rates of between 70 and 86 per cent, although their gross national product (GNP) per capita was only US$ 480 to 580. In comparison, Gabon and Saudi Arabia, with GNP per capita around 10 times higher, only had literacy rates of 48 per cent and 46 per cent, respectively.[17] The impact Governments' attitudes and policies have on women's lives is thus crucial for their well-being.

II. GLOBALIZATION AND ITS IMPACT ON VIOLENCE AGAINST WOMEN

26. Globalization means liberalization of import/export controls, deregulation of the economy and privatization of State enterprises. This trend is promoted by Governments in the developing and the developed world, as well as by international organizations such as IMF, the World Bank and the World Trade Organization. Freeing trade by abolishing tariffs and quotas, increasing the efficiency of industries through privatization and removal of subsidies and other protection, liberalization of the market in order to let the market regulate itself are perceived to be strategies which bring economic growth, wealth and prosperity.

A. Structural adjustment programmes

27. IMF and the World Bank have encouraged the process of globalization by attaching conditions to their assistance in reorganizing countries' economies. Loans go along with programmes of structural adjustment. These programmes are meant to ensure that the debtor country will be in a position to repay the loans. Structural adjustment programmes therefore are aimed at increasing countries' foreign currency earnings and reducing government spending. Foreign direct investment by multinational companies is promoted by deregulating the market in order to ease entry. Similarly, IMF and the World Bank push for privatization of government services and enterprises to enforce cuts in government spending.

28. The policies of globalization are aimed at economic growth and achieving balanced budgets. These objectives often result in the cutting of essential services and provisions that the general public once took for granted. By reducing budget allocations for the provision of services, the Governments place women directly at risk of violence. Making access to education and health care more difficult by increasing prices, cutting subsidies, reducing personnel and closing facilities has direct effects on the health and well-being of women and girls. Where unskilled women have to seek a job, they are most likely to end up working in the unregulated informal sector or in labour-intensive manufacturing, in both they are very likely to be exposed to violence.

B. Manufacturing

29. As part of the general package of reforms associated with globalization, multinational and transnational companies are invited to start up production plants in less developed countries in the belief that they will provide employment opportunities, improve human capital and bring technological know-how and most of all foreign reserves. The setting up of "free trade zones" with a lax regulatory regime is often part of this process.

30. Often it is labour-intensive manufacturing that is transferred to less developed countries. Export-processing zones are created which give foreign investors tax and customs breaks and in which they are frequently exempt from regulations concerning the environment and the safety and health of workers. Labour laws are ignored, workers have no right to social security and benefits - including maternity benefits and leave. The low pay often forces workers to work overtime and night shifts. Competition for foreign direct investment is high among developing countries and Governments try to underbid each other in granting special conditions to multinational companies, thereby knowingly increasing the burden on the workers.

31. The reason for multinational companies to establish manufacturing plants in developing countries is the competition among companies. In an effort to underbid each other, production costs and thus wage rates are kept as low as possible. Low pay and long working hours are characteristic of these "sweatshops" (defined by the United States General Accounting Office (GAO) as "a business that regularly violates wage, child labour, health and/or safety law", in Women in Action, No. 2, 1996). Eighty per cent of the workforce employed by multinational companies is female, mainly in the 16 to 25 age range. Females are preferred, as unskilled women are the cheapest labour available and also because women are more reluctant to complain about the working conditions. The workers are required to be unmarried and without children. Employment is temporary, with pregnancy and marriage often resulting in immediate dismissal, to avoid paying maternity benefits.

32. Besides low pay and long working hours, workers have to endure many other bad working conditions. Job security and social security are often non-existent.

33. Lack of regulation means that occupational health is neglected. Workers are exposed to chemicals and other health hazards, especially in the textile and clothing, electronics and manufacturing industries, which are the main sectors. In the electronics industry, the eyesight of many workers deteriorates rapidly from constantly looking through microscopes. The lungs of textile workers in poorly ventilated rooms become clogged up with micro cloth particles [18]. The dry cleaning and electronics industries use a lot of carcinogens. Women on assembly lines are at risk of contracting repetitive strain injuries [19]. Local industries manufacturing for export or working as subcontractors for multinational companies have similarly terrible working conditions. Where work is subcontracted to women for home production, it falls outside the framework of labour law, and payment by the piece-rate method puts great pressure on the women and they may be forced to work at night.

34. In multinational companies, workers' rights to form or participate in trade unions are infringed. If they are involved in home-based production they do not even know who their co-workers are and therefore trade union action is impossible. This causes major problems for

women. The lack of effective trade unions ensures that women cannot complain about working conditions or, especially, the frequent abuse, including sexual abuse, that female workers are exposed to.

35. The control and power of the companies are often nearly absolute. In some companies, women suffer beatings for not working fast enough. They also suffer sexual advances from male colleagues. On the way to and from work, as well as in the all-female dormitories set up in export-processing zones (EPZs), they are vulnerable to rape and sexual harassment. Humiliating treatment, such as underwear checks when women ask for menstruation leave, is common.[20] Nonetheless, despite the terrible conditions, such work constitutes a means of earning money for the family, which is why the supply of women for these jobs is large.

36. Domestic industries producing for export frequently benefit from similar government conditions. Again it is firstly the protection of the workers and their health which is violated, as the flower-producing industry in Colombia illustrates. This industry employs about 80,000 workers, of whom 70 per cent are female. Women are preferably employed because they demand lower wages than men do, which ensures the industry a comparative advantage. While working conditions are slavelike, many women prefer this to working as domestic servants, since they at least have fixed working hours. Wages are low as there is a proverbial "reserve army of labour" in Colombia. The work badly affects the health of the women. The high humidity in the greenhouses, combined with the use of dyes, fungicides, insecticides and pesticides, causes respiratory problems, as well as headaches, dizziness and fainting.[21] Again, women are subjected to physical and sexual abuse in the workplace.

C. Cash crops

37. Another strategy often employed by States is to promote cash crops over traditional agricultural methods. Promoting cash crops for export as a means of earning foreign currency has a variety of effects on women's lives. Women traditionally perform the greater share of work in agricultural production and they produce food for subsistence. In many cases the introduction of cash crops brings about changes in technology, and/or land reforms. Both these measures are aimed at men and ignore women's role in agricultural production completely, with the husband being registered as the owner of land, which interferes with traditional land ownership and use rights of women. New technology is tailored to men, so men will take over responsibilities which used to be women's. "Experience has shown that men often appropriate work from women as it has become less labour-intensive and more technology-intensive."[22] New production methods are often unavailable to women. In addition, credit necessary to buy fertilizers or a new seed variety is only accessible to men.

38. If women are made redundant by the mechanization of agriculture, often they are sent to the city or abroad to work as domestic servants or in the manufacturing industry. Women are deprived of their traditional sources of employment, their traditional responsibilities and rights are overthrown by these reforms, and the economic and social status of women worsens. This has consequences on the occurrence of violence against women, it has been shown that there is a correlation between limited economic responsibilities for women and an increase in the mortality rates of females.[23]

D. Policies to reduce government expenditure

39. Policies to reduce government expenditure have severe effects on women's lives. A reduction in spending in the health sector makes access to medical care even more difficult for the poor. In developing countries this can have particularly severe consequences for females. In India, girls are 40 times less likely to be taken to hospital than boys,[24] an increase in costs will reduce their access even more. While almost all births are attended in developed countries, in developing countries, however, fewer than half are attended by any health staff. In South Asia, the proportion is less than one third. Consequently, the World Health Organization (WHO) has found that, while India, Bangladesh and Pakistan account for 28 per cent of the world's births, they account for 46 per cent of all maternal deaths.[25] In Zimbabwe a one third cut in government health spending caused the number of women dying in childbirth in Harare to double.[26]

40. Another sector that is often affected by reduction of government expenditure is education. Researchers have found a link between education and female reproductive status. Enabling girl children's access to education has positive effects on their family planning. Pregnancies pose a risk to the mother's life. Every year 585,000 women die from complications during pregnancy and childbirth. The risk for young girls is much higher. WHO has found that for women aged 15 to 19, the risk of dying from pregnancy-related causes is twice as high as for women in their twenties, and for girls aged 10 to 14 five times as high.[27]

41. Women's bodies suffer from the strain of pregnancies. Where women cannot get enough food in their pregnancy, their own bodies provide the source of nourishment for the growing foetus. Repeated pregnancies thus take a high toll on women's health. "High fertility harms the health of mother and children. It increases the health risks of pregnancy, and closely spaced births have been shown to reduce birth weight and increase child mortality."[28]

42. The correlation between a high level of education and a reduction in fertility rates has been proven. In India educated women get married late in life, have fewer children and have a better knowledge of contraception and child health care. In Colombia, the highest percentage of births to women under 20 were to women with primary education only, for women with higher education, no births are recorded.[29] The UNDP Human Development Report also suggests that there is a correlation. Among countries with medium human development, which have only average and below-average female secondary enrolment ratios, total fertility rates are much higher than average and, as a result, maternal mortality is generally more than double.[30]

E. Privatization

43. Privatization of services has similar effects with respect to the reduction of access to government services, since private management needs to compete on the market and therefore will increase prices, close inefficient facilities and reduce personnel.

44. When government services or State-owned enterprises are privatized, a general measure to cure inefficiency is to lay off large numbers of employees. Generally, it tends to be women who are laid off first. Often they are less educated and less trained than men and thus hold lower positions, which makes them easily dispensable. Moreover, the fact that women take maternity leave and will not necessarily work on a continuous full-time basis are additional reasons why

women are more likely to be laid off first. This has also been the experience in Russia and other eastern European countries after the introduction of the free market. In the Ukraine, 80 per cent of workers made redundant between 1994 and 1998 were women. "[U]nfair layoffs, chronic unemployment, discrimination in hiring and sexual harassment"[31] are common occurrences.

45. International competition forces companies to reduce production costs. In response to the deregulation of the labour market, privatized companies have the option of subcontracting parts of their production to sweatshops. As described earlier, sweatshops are high-risk workplaces for women.

46. Where health services and education are privatized, the poor are restricted in their access to health care and educational opportunities. The income distribution gap increases, leading to social tension. Private sector services will put women and girl children in an even more disadvantageous position as they will have to miss out on costly medical care and reproductive health education, unless they receive government benefits.

F. Tourism

47. IMF has promoted tourism from the 1960s by supporting countries in providing the appropriate infrastructure. The reasoning was to develop international understanding, but most of all to create cash inflows into developing countries. Foreign tourists stay in expensive hotels, spend a lot of money and in this way drive the economy.

48. Attracting tourists by any means, however, has negative effects, including relocating farmers to use their land to build hotels and golf courts. Entire fishing villages are evicted to make room for extensive beach resorts. Again, deprived of their traditional means of subsistence, women often have to enter the labour market, exposing themselves to exploitation and the risk of violence.

49. When employment opportunities are scarce for unskilled labour, women, especially young and beautiful women, find working in the service sector an easier option. This includes work in hotels, restaurants, bars and nightclubs, where demand is great because of tourism.

50. Tourism and prostitution have a reciprocal relationship. Women resort to prostitution when they are relocated or deprived of their means of living through tourism development projects. The supply of prostitutes in turn encourages sex tourism. In Thailand, for every female tourist there are two male tourists.[32] The large numbers of sex tourists provide pecuniary incentives for the sex industry.

51. Where prostitution is not legal, women are unprotected by labour laws. This means they have no guarantee of being able to work in a safe environment and they have no right to social security. They have no right to reject clients and if they experience abuse, they have no means to take action against the abusers. It may not be possible for the women to decide on the use of condoms and thus they may also be exposed to sexually transmitted diseases (STDs). Where women are forcibly held, they may be confined to a room and may be beaten. In some brothels, women are forced to use contraception, in other places they may be forced to have an abortion when they become pregnant.

G Relocation and forced eviction

52. Relocation is often undertaken by the Government in the context of development. On the one hand, it may be carried out to allow for large infrastructure projects. On the other hand, it may be used to remove unsightly shanty-towns for city beautification, to prepare for international events. In preparation for the Asia-Pacific Economic Cooperation (APEC) meeting in Manila, 3,500 squatter families were evicted in order to remove "eyesores", including 1,500 families who had to move from their homes near a street the delegates would be passing [33] Large-scale development schemes such as dam building usually result in the relocation of tens of thousands of people. A study by the Indian Institute of Public Administration found that the average number of people displaced by a large dam was 44,182 [34]

53. Relocation and deprivation of their traditional means of subsistence have especially severe effects on women, usually resulting in greater poverty and unemployment for them and their menfolk. Forced relocation results in the destabilization of family life: tolerance levels are low, aggressiveness increases and incidents of wife battery occur more often.

54. Frequently, resettling occurs against the will of the people concerned. In such cases, forced eviction is often carried out with the consent or even on the orders of the Government.

55. While the entire family is affected by forced eviction, again it is the women who suffer most. Women will have to cope with the new circumstances, will have to fulfil their responsibilities as before, but with more limited means, and will need to work harder to make ends meet. Single women are at a major disadvantage, as is illustrated by the case of the Narmada dam in India, where cash compensation for the land and property lost is offered to men only [35] Often the land assigned for resettling does not enable the people to continue their way of life. Such disruption interferes with and prevents women from exercising traditional responsibilities. It has been shown above that this leads to the devaluing of women and often to increased violence against women.

56. Forced eviction usually occurs in the night or in the early morning. There is little time to collect things to take and sometimes the inhabitants have hardly left their homes when the demolition of the house is begun. The poorest and weakest members of the population are the ones most likely to be evicted and to have the basis of their existence destroyed. Forced eviction ensures that the poorest retain their position at the bottom of society.

57. Violence occurring in relation to forced eviction starts before the eviction process. Psychological stress on learning about the eviction can destabilize the family atmosphere and cause emotional trauma. Sometimes rape is used by the evictors to break resistance. During the eviction, verbal abuse and beatings, rape and even killing are common. The destruction of the home and the destruction of property are further traumatic experiences. The destruction of the home is often equivalent to the destruction of life; everything that was accomplished so far is destroyed. Coping with injuries, the death of family members, inadequate housing or even homelessness, poverty, lack of community support when relocated away from the home town are all possible burdens that have to be taken on by women after eviction.

III. OTHER POLICIES

A. Family planning policies

58. The dissemination of information about reproductive rights and health is necessary in order to prevent infection from STDs and to prevent unwanted pregnancies, which often result in illegal and thus unsafe abortions.

59. The rate of unwanted pregnancies among adolescents is very high, the use of contraception should therefore be encouraged and access to sex education and family planning clinics should be improved. Currently the use of contraception ranges from around 50 per cent in countries such as Peru, Kenya and Namibia to from 15 to 30 per cent in the Middle East and North Africa.[36] In Colombia lack of access to contraception was the reason for 80 per cent of abortions.[37] Nearly one in two women who became pregnant before the age of 19 have an abortion.[38] Women in Peru complain about inadequate information about contraceptives. In public health centres contraceptives are prescribed without prior examination of the women.[39] Every year adolescent girls in Chile give birth to 40,000 children - 80 per cent of these are unwanted. This correlates to an abortion rate of 40 per cent for girls below the age of 18.[40] As abortions are illegal in Chile, pregnant young girls have to resort to unsafe abortions. The practice of the Chilean public health system of providing contraceptives only after the first pregnancy is an important causal factor; it fails to support the prevention of unwanted pregnancies and STDs.[41]

60. Information about STDs and HIV/AIDS is also required. Young women are at a higher risk of becoming infected as they have little knowledge about protection against STDs and are easily pressured by older sexual partners into foregoing protection. Men also need to be educated about the danger of STDs and about their responsibilities in ensuring protection.

B. Abortion rights

61. Complications following abortions account for 80,000 of all pregnancy related deaths.[42] In Latin America, abortions are the main cause of death for women aged 15 to 39.

62. The risks attached to illegal abortions are very high. For example, in Chile, where abortions are illegal, one third of the women who undergo them require hospitalization for serious complications.[43]

63. Considering the frequency of abortions in countries such as Colombia, where one third of women who ever were pregnant have an abortion, the immediate need for available safe abortion becomes obvious.[44] In the countries of the South, between 1 million and 4 million adolescents (young people aged 10 to 19) are obtaining clandestine abortions.[45] Adolescents tend to delay obtaining an abortion until after the first trimester and often seek help from a non-medical provider, leading to higher rates of complications. Self-induced abortion is also common among adolescents in many countries.[46] The methods include administering drugs either vaginally or orally, ingesting herbs or hormonal products, inserting probes, and also violent techniques, such as falling repeatedly or jumping.[47]

64. Adolescents have little knowledge about contraception, and where they have knowledge, family planning centres may not provide them with contraception or may treat them disrespectfully, in the opinion that adolescents should not be involved in sexual activity, especially outside marriage. Once pregnant, adolescents again are not knowledgeable about their options and often apprehensive of seeking professional help. Where abortions are legal, parental consent is often required, which again forces many girls to resort to clandestine abortions.

C. Sterilization

65. Limiting women's access to sterilization means denying women their right to freely exercise their reproductive choice. Where contraceptives are not available, women will resort to abortion to end unwanted pregnancies. In Chile a woman has to be over 32 years of age, should have at least four living children and needs the consent of her partner in order to have a legal abortion [48]. Women, who do not qualify but do not want any more children, will have to undergo an illegal and thus unsafe abortion or endure the strains and possible complications of pregnancy.

66. At the other end of the scale are policies such as forced sterilization. In some Latin American countries women are promised gifts such as clothes and food for their children, if they undergo tubal ligation. In addition, the women may be threatened that food subsidies will be cut if they do not comply. Women who are pressured by the Government to undergo sterilization or who are sterilized without their consent experience a form of violence, not only because they are not informed about the risks and possible complications of sterilization and about the procedure being irreversible, but also because sterilization in such circumstances constitutes external control over their bodies. Additionally, when women in rural areas are targeted, the operation rarely occurs under safe and hygienic conditions. In Peru at least two women have died as a result of government sterilization programmes [49].

67. Other forms of coercion relating to reproduction occur in China in the name of the "one child policy". There, women with more than one child can be forced to have an abortion. While not all strict government birth control programmes use violent forms of terminating or preventing pregnancies, policies which mean a reduction in social benefits, or job loss for parents who do not comply, still pressure women into undergoing possibly unsafe abortions.

D. Housing and domestic violence

68. Housing policy is directly related to issues of violence against women. The International Covenant on Economic, Social and Cultural Rights sets out the equal right of women and men to an adequate standard of living, which includes the right to adequate housing.

69. Inadequate housing provides living conditions that are conducive to violence. Women and children spend more time at home than other family members and are thus more likely to experience harm from unhygienic environments and lack of access to safe drinking water. Moreover, overcrowded housing conditions, where stress levels are high and tolerance is low - added to unemployment or poverty and the resulting financial anxieties - exacerbate the risk of domestic violence.

70. Shelter is also a woman's issue. Women who are economically dependent on their partner or their family are often faced with the dilemma of being abused or being homeless. Lack of shelter facilities forces up to 30 per cent of women who have fled domestic violence to return to their homes and thus to violence,[50] government cuts worsen the situation. Especially when they live in remote areas, it may be very difficult for women to seek help at shelters.[51]

71. In the United States 50 to 60 per cent of homeless women have fled domestic violence.[52] Every night, about 180,000 female-headed families and about 150,000 single women are homeless.[53] Women living on the streets are exposed to high risks of violence, but their only alternative may be to experience violence from a partner they are forced to be with in order to have a roof over their heads.

IV. RECOMMENDATIONS

At the international level

72. International financial agencies and donors, in advising Governments, should ensure that gender impact studies are conducted with regard to the programmes that are being carried out. These impact studies should ensure that financial policies and the grant of aid do not result in programmes that lead to discrimination and violence against women. If they do, serious rethinking should be done to ensure that international aid policy is not in violation of international obligations of human rights.

At the national level

73. Gender impact studies should be mandatory with regard to the planning of programmes with regard to economic and social policies and these impact studies should have an important effect on decision-making.

74. Laws and programmes should be devised that would change status and attitudes with regard to the position of women in society. Women should be recognized as independent and equal human beings with the same legal capacity as men.

75. Programmes and policies should be devised that aim at increasing the economic independence of women so that their status in society will increase and so that they will not be forced to accept situations of abuse and exploitation.

76. Economic reform policies imposed by strategies of globalization should ensure:

Minimum standards of protection for women workers and trade unions, in line with international human rights standards and ILO regulations;

That, in the context of new opportunities arising out of globalization, women are given equal access with men to land, credit and employment, so that technological innovations do not leave women behind;

That welfare reforms and privatization that lessen women's access to essential services should be seriously reconsidered in the light of the well-being of the whole population

77. Development policies that result in the forced eviction of populations should not be implemented without the free and full consent of the individuals concerned. In addition, gender impact studies should be undertaken to determine the effect that forced relocation will have on the position of women

78. Housing policy in many countries should seriously take into consideration the fact that violence against women can often result from overcrowding and poor living conditions. Since women are most affected by household life, the conditions of housing have a direct relevance to their well-being

79. Policies with regard to the reproductive rights of women should be screened for their impact on violence against women. In this regard the Special Rapporteur's report to the Commission at its fifty-fifth session on violence against women and reproductive rights (E/CN.4/1999/68/Add.4) deserves special consideration

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